

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Gilbertson *et al.*

Serial No.: 10/821,711

Filed: April 8, 2004

For: DNA CONSTRUCTS AND METHODS TO  
ENHANCE THE PRODUCTION OF  
COMMERCIALY VIABLE TRANSGENIC  
PLANTS

Group Art Unit: 1638

Examiner: Kruse, David H.

Atty. Dkt. No.: MONS:140US

**CERTIFICATE OF ELECTRONIC TRANSMISSION**  
37 C.F.R. § 1.8

I hereby certify that this correspondence is being  
electronically filed with the United States Patent and  
Trademark Office via EFS-Web on the date below:

July 18, 2008

Date

/Ron J. Laby/

Ron J. Laby

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION DATED**  
**MARCH 18, 2008**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Final Official Action dated March 18, 2008, for which the date for response is June 18, 2008. A Petition for Extension of Time to Respond with fees, and a Request for Continued Examination (RCE), along with accompanying fees, is filed herewith. No additional fees are believed due in connection with the filing of this paper. However, should any such fees become due under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the Response, the Commissioner is authorized to deduct said fees from *Sonnenschein Nath & Rosenthal L.L.P.* Account No. 19-3140/11000023-2261/MONS:140US.

Reconsideration is respectfully requested.